App F IX 4

1946 47

File No 55 - 4

Previous References (nil)

Serial Nos. 9, 17, 45

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Three

Part B for February 47

SUBJECT

Confirmation of the sale of Files in Davangere Town Municipality

K 11145-46 A11 2-46

To

The Chief Accounts Officer & Comptroller for

Secretary

1) The sites were auctioned on dtd 9-3-46 & 15-6-46 & all the bidders have paid the value of the sites on the due dates except Mr Magamma Basappa who has paid the balance amount of Rs 1387-8-0 on 18-4-46 instead of on 28-3-46 the mc & have condoned the delay in payment

2) The Dy Commr in para 3 of his letter has reported that in the case of the sale to Magamma Basappa a suitable penalty may be ordered to be levied & the delay in crediting the balance of the bid amount condoned. Orders thereon

3) A draft Go is however submitted for approval or order when the mc counsel have condoned the delay wherein a penalty has also to be levied as proposed by the Dc in his orders

4) Dft for myra approval Sanction to the auction sale is required under sec 38(2) of the Bombay Land Revenue Code 1879

5) What is the power vested in Govt to levy a penalty?

1934 mly 55-46
L

Camp NO 5 — 46

6) Subd There is no provision in the Town mches Act to levy a penalty by Govt for non payment of the sale value on within the stipulated time

7) The sale of sites is ~~guided~~ regulated by the notification conditions inserted-with issued in this behalf kind references invited to the Sale notification of the Davangere Town mcp(Vlae flag or ~~Act~~ According to the Condition NO 2 in the notification, the purchaser will have no right to the property of the balance of the amount is not paid within 15 days of the sale and the property should be resold at the risk of the 1st purchaser The mcp, instead of doing so, have accepted the balance of the amount & the mcl also have condoned the delay in payment Such being the case there does not appear to be any reason for the Dy Comm, to recommend to Govt to levy any penalty

8) If agpd, the D C will be asked to state the provision or provisions of the Act under which the levy a penalty has been recommended

9) Yes Aft according please for 3/11/46

10) Subd with a draft letter for agpl

11) Issued 4/11/46

4/11 sl 17 TO the Dy Comm Chitaldrugh
NO L 4893 dy 11-10-46
Requested to furnish the provision or provisions of the Act under which a penalty may be levied as suggested

Serial No

Letter no Ab C 695-105/46-47 Dy 21-12-46 from the Dy Commr, Chitaldrug Dt furnishing the particulars called for

"A" 1 The Dat, Deputy Commr in his letter para 2 of his letter marked "A" has explained the circumstances under which the resale of the site granted to Mr Nagappa Basappa, was not held under Condn 2 of the Sale notification

K" 2) The Dy Commr states that the levy of penalty was recommended only on the analogy of the Revenue sales as he self had urged that the delays might be condoned as a special case

3) As there is no provision in the Act to levy a penalty for condonation of such delays, the Dy Commr is of opinion that the sale in question might be cancelled with direction to hold a resale as per Rules in accordance with the Conditions in the sale Intimation

4) The D C also requests that the sale of other sites which are all regularly held may be confirmed

I submit with reference to para 3 supra

UB 31/12 1) It will be seen from the report of the Deputy Commissioner Davangere that the reasons which led to the resale not to take action as per Condition 2 of

NOTE—Contn Sheet

the sale notwithstanding have been
subsequently explained in view of
this explanation without of the Reserve
& the report of the Asst Controller
the delay can be part of the another increase
in depositing the balance of the sum
it does not appear necessary to
cancel the sale of the Fire to the
Magazine Kasuppa as recommended
by the D C controlling Hence to
Sale of all the lots may be approved
Offer for the affd respectfully submitted
for
3/11/46

19) D C's recommend that
to confirm the sale may be affd

Minister for Rev
& Cenl

6/11/46

OFFICE OF THE MINISTER FOR REVENUE
No. 5328
Date 6/11/1946

9) The remarks of the Asst C
is not correct D C has recommended
confirmation of sale of lots except
that bid for by Mr Magnus Bosetta
in which case he has proposed that
the sale may be cancelled & resale

WD 03814—GPB—15 000—20 7 46

may be ordered as suggested

1325

ordered in accordance with the clause of the sale notification

7/1/47

Asst Secy
Please Verify & put up Why Rule Dis Cofaug 7/1/47

7/1/47

7/1/47

A revised draft is put up. The discrepancy which was due to oversight is much regretted

11/1/47

Rev secy 31/1/47

2145

Issue 4/2/47

To

The Dy Commr, Chr and
The Comptroller

NO L 11145-0 Dy 11-2-47,

Sanctions for Continuation of sale of
except in the case of Rule NO 195 which
revoked according to the Conditions
in the

may be levied as suggested

Ml 55-46-9

Office of the Deputy Commissioner
Chitaldrug District,
Chitaldrug, dated 4th Sept 1946

No A6 C 605-105/46-47
Encl 2 files

To

J B Mallaradhya Esq, M A,
Secretary to Government,
Revenue Department, Bangalore

Sir,

I have the honour to state that the sites noted in the margin were sold in public auction to the persons noted against each by the President of Davangere Municipality and the Municipal council has resolved that the said sales may be confirmed All the sale purchasers have paid the value of sites on the due dates except Mr Maganur Basappa who has paid the balance amount of Rs 1387-8-0 on 18-4-1946 instead of on 23-3-46 and the council has accepted the bid condoning the delay

2 As the bid in each of these cases is more than Rs 1000/ sanction of Government has to be obtained for the confirmation of the sales I request that ~~confirmation of~~ the sales of all these sites may be confirmed as resolved by the council as the sales are all regularly held

3 In the case of the sale to Mr Maganur Basappa, a ~~xinxix~~ suitable penalty may be ordered to be levied and the delay in crediting the balance of the bid amount condoned

4 The two files of sale records ending with letter No H C 91 /45-46 dated 13-7-46 and H C 19/46-47 dated 5-8-1946 received from the President of Davangere Municipality are enclosed

Statement showing the sale of sites in Davangere

Sl No	Name of purchaser of the site	Locality	Site No	Dimensions of the site	Bid amount	Amount paid	Date of sale	Date of confirmation by the Council
	M/s							
1	Ranebennur Sanglah	Southern side of 8th cross road in Prince Jaya Chamaraja Extension in Davangere	180	50'x54'	Rs 1910/	1910/	9-3-46	17-4-46
2	Maganur Basappa		195	40'x54'	Rs 1850/	1850/	"	"
3	Siva Rudrappa		197	40'x54'	1725/	1725/	"	"
4	Siva Rudrappa		200	40'x54'	2310/	2310/	"	"
5	P Narayanappa and Bros		201	40'x54'	1700/	1700/	"	"
6	P Narayanappa and Bros		202	50'x54'	2105/	2105/	"	"
7	Srinivasa Setty for Eswarasetty		203	50'x54'	1700/	1700/	"	"
8	Ranebennur Sanglah		204	50'x54'	1755/	1755/	"	"
9	Kodanda Ramaiah	Municipal vacant site side of door No 360 in Masabedarakeri	206	40'x54'	1550/	1550/	"	"
10	Kadaji Murigappa			40' x 50'	2100/	2100/	15-6-46	17-7-46

enclosed herewith for favour of kind reference.

I have the honour to be
Sir,
Your most obedient Servant

Deputy Commissioner,
Chitaldrug District

C M F 2/

Appendix F G —1]

SUPJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the 194

Date of issue 11-10-46

Signed by

List of enclosures

Copied by

Examined by

Section

File No 55-46

Serial No 17

No 24893/R

To

The Dy Commr, Chitaldrug

Sir,

With reference to your letter No A6 C 695-105/46-47 dt 4-9-46 stating that one Mr Bhagavan Basappa who purchased a site in the Davangere Town measure the anchor sale held on 9-3-46 paid the balance of the bid amount late and suggesting that a suitable penalty may be levied on him for having credited the balance of the bid amount with delay, I am directed to request you to state the provision or provision

WD 027 4 —GPB—2,000—24 6 46

of the Mysore Town Mehs Act 1933 or the rules framed thereunder under which a penalty may be levied as suggested

The records accompany for reference & return

Dhanuk

for Secy to Govt

Kldo Accdepte

[illegible]

5026
21 DEC 1946
L S G BRANCH

No A6 C 695-105/46-47 Office of the Deputy Commissioner,
Encl 1 file Chitaldrug District,
Dated, Chitaldrug, 21st December 1946

To

J B Mallaradhya, Esquire, M A
Secretary to Government of Mysore,
Revenue Department, Bangalore

Sir,

Subject Confirmation of sales of sites in Davangere town municipality

In reply to your letter No L 4393 dated 11-10-1946 on the above subject, I have the honour to forward herewith the report received from the President exolaining the circumstances under which a resale of the si in question was not held The levy of penalty was recommended only on analogy of Revenue sales as the Municipality had urged that the delay might be condoned as a special case As there is no provision of law in the Municipal Act to levy penalty for condonation of such delays, I am of opinion that the sale in question might be cancelled with a direction to hold a resale as per rules in accordance with the conditions in the Sale-Isthihar The other sales which are all regularly held may kindly be confirmed

The Connected records accompany

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Chitaldrug District

mns

G R S App F VI—G 2]

SUBJECT

AL

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 11/7 194)

Signed by Kr fRRac

May this be—

(i) printed ?

(ii) treated as a standin order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

Please type as in the margin of the P & D

Section ml

File No 55-46

Serial No 45

Proceedings of the Government of His Highness the Maharaja of Mysore

Read— Correspondence ending with letter No A6 C 695-105/46-47 Dy 21-12 46 from the Dy Commr Chitaldrug Dt, requesting sanction under Section 38(2) of the Mysore Town Inltres Act 1933, to the Confirmation of the sale of nine sites to the ~~Order thereon—No~~ several individuals for the amounts as noted in the margin in the Davangere town mlgs. as resolved by the mnl cl at their meetings held on 17-4-46 & 17-7-46, as the entire bid amounts have been received and adding that the

bid of Rs 1850 of Mr Magannur
Basappa – site no 195 – may be
Cancelled, as he did not pay
the bid amount according
to the Conditions of the sale notification
and that a resale may be ordered
to be held in accordance with
Clause 2 of the said notification as
there is no provision in the Town
Metres Act for the levy of any penalty
for Condonation of delay in the
payment of the bid amount
Order no L 11145-6 dt 11-2-47

The sale of nine sites in the
Davangere town mcp is sanctioned
under section 38(2) of the Mysore
Town metres Act 1933, except in the
case of site no 195 which may be
resold according to the conditions
prescribed in the sale notification

List of Enclosures

Copied by

Examined by

from Secy to Govt
Rev Dept

To The Dy Comm, Chitaldr

The Comptroller

WD 087—GPB—40 000—14 11 40

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read -

Correspondence ending with letter No A6 C 695-105/46-47 dated 21st December 1946 from the Deputy Commissioner, Chitaldrug District, requesting sanction under Section 38(2) of the Mysore Town Municipalities Act 1933, to the confirmation of the sale of nine sites to the several individuals for the amounts as noted in the appendix in the Davangere Town Municipality, as resolved by the Municipal Council at their meetings held on 17th April 1946 and 17th July 1946, as the entire bid amounts have been received and adding that the bid of Rs 1,850/- of Mr Maganur Basappa - site No 195 - may be cancelled, as he did not pay the bid amount according to the conditions of the sale notification and that a resale may be ordered to be held in accordance with clause 2 of the said notification, as there is no provision in the Town Municipalities Act for the levy of a penalty for condonation of delay in the payment of the bid amount

Order No L 11145-6/Rl 55-46-47

Dated, Bangalore, the 11 February 1947

The sale of nine sites in the Davangere Town Municipality is sanctioned under Section 38(2) of the Mysore Town Municipalities Act 1933, except in the case of site No 195 which may be resold according to the conditions prescribed in the sale notification

for SECRETARY TO GOVERNMENT,
Revenue Department

To

The Deputy Commissioner, Chitaldrug District (with records)
The Comptroller to Government of Mysore, Bangalore

tvr 3 fr

Statement showing the sale of sites in Davangere.

Sl. No.	Name of the purchaser of the site.	Locality	Site No.	Dimensions of the site	Bid amount	Amount paid	Date of sale	Date of confirmation by the Council
	Messrs				Rs	Rs		
1.	Ramabennur Sangiah	Southern side of	189	50'x54'	1,910/-	1,910/-	9-8-46	17-4-46
2.	Maganur Basappa	8th cross road in	195	40'x54'	1,850/-	1,850/-	"	" Take Cancelled
3.	Siva Rudrappa.	Prince Jayachama-	197	40'x54'	1,745/-	1,745/-	"	"
4.	Siva Rudrappa	raja extension in	200	40'x54'	2,310/-	2,310/-	"	"
5.	P.Narayanappa & Bros.	Davangere.	201	40'x54'	1,700/-	1,700/-	"	"
6.	P.Narayanappa & Bros.		202	50'x54'	2,105/-	2,105/-	"	"
7.	Srinivasa Setty for & Esvara Setty.		203	50'x54'	1,700/-	1,700/-	"	"
8.	Ramabennur Sangiah.		204	50'x54'	1,755/-	1,755/-	"	"
9.	Kodanda Ramaiah		206	40'x54'	1,550/-	1,550/-	"	"
10.	Kadajji Durigappa	41.Vacant site by the side of D No.300 in Masabedarakere.		40'x50'	2,100/-	2,100/-	15-8-46	17-7-46

TVR/3.

for secy to Govt
Uda Rev Dept